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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-first year

Identical letters dated 20 February 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I wish to draw your attention to the speech of President Mahmoud Abbas, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian National Authority, delivered at the opening session of the second Palestinian Legislative Council in Ramallah on 18 February 2006 (see annex).

I would be grateful if you would arrange to have the text of the present letter and the enclosed speech of President Mahmoud Abbas distributed as a document of the Security Council and of the tenth emergency special session of the General Assembly, under agenda item 5.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

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Annex to the identical letters dated 20 February 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

[Original: Arabic]

Speech of President Mahmoud Abbas ("Abu Mazen")
Chairman of the Executive Committee of the
Palestine Liberation Organization and
President of the Palestinian National Authority
at the
Opening of the Session of the
Second Legislative Council

Ramallah, 18 February 2006

In the Name of God, the Merciful, the Compassionate
"And their affairs are conducted by consultation among them"
God has spoken the truth

Sisters and Brothers, Members of our second Legislative Council,
Members of the Diplomatic Corps,
Ladies and Gentlemen,
Distinguished Guests,

May peace and the mercy and blessings of God be upon you!

Today is a momentous day in the life of our Palestinian people, a day of great significance in the history of our nation. For today we witness the inauguration, in accordance with the Constitution, of our second Legislative Council, chosen by our people in the West Bank, the Gaza Strip and Jerusalem in free and fair elections viewed by the entire world through the eyes of hundreds of observers and carried out peacefully from the start of the process to the announcement of the results.

Had any political organization or group been excluded or our compatriots in East Jerusalem prevented from participating, the elections could not have been held. I insisted on full participation in spite of all the pressures exerted, and ultimately that insistence won out. I see among you here some who represent Jerusalem and some who represent every Palestinian political group. Congratulations to our sisters and brothers members of the Council on the trust placed in them by the electorate and my best wishes for success in carrying out the responsibilities they have now shouldered.

On this occasion I would also like to pay tribute to the Central Elections Commission and express my appreciation to it for discharging its duty with the utmost competence and responsibility. I wish also to commend the observers, both

Arab and foreign, for their role in monitoring the elections, and here special mention should be made of President Jimmy Carter.

In successfully holding these legislative elections and the presidential and local elections that preceded them, our people have demonstrated their awareness and their maturity in conducting the democratic process. This is something the whole world should view as evidence that they deserve and are qualified to build their own present and future within the framework of the modern State to which they are entitled, under a pluralistic democratic system governed by the rule of law and the spirit and morality of the age in which we live, where every citizen, whether man or woman, enjoys the rights and liberties guaranteed by law.

Dear Sisters, Dear Brothers,

From the podium of your Council, I salute our Palestinian people both here at home and in the Diaspora. Let me reaffirm to every Palestinian man and woman that our joy will be complete only the day when we obtain our freedom; when our independent State, with Al-Quds al-Sharif as its capital, comes into being; when our prisoners are released; when the question of the refugees finds a just and mutually agreed solution based on General Assembly resolution 194 (III), the day when we realize the dream of the leader of our revolution, the builder of the first Palestinian National Authority, legendary President Yasser Arafat.

I also salute the members of your Council who are hidden behind the walls of Israeli prisons along with thousands of our people's heroic elite. I assure them that we will spare no effort until they are set free and I see every one of those members take his seat on this Council and every prisoner take his proper place in our society.

Ladies and Gentlemen,

Our election results have brought with them a new political reality in which the Hamas movement holds a majority in the Legislative Council. It is Hamas, therefore, that will have the task of forming the new Government. I look forward to the appointment of the person who is to undertake that task and the start of the customary consultations for that purpose. As part of that process, your Council will elect its Presidency Office and form its various committees so as to be ready to welcome the newly formed Government, its programme and its policy directions, until it obtains a vote of confidence.

We look forward to the orderly completion of all these steps in the shortest possible time, because the tasks before you in the coming period are enormous indeed. From me you will have full cooperation and encouragement, because the national interest is our first and final goal, beyond any individual or factional interest.

I would also like to take this opportunity to pay tribute to our first Legislative Council, which, operating under the most extreme conditions, managed to pass a large number of laws and followed and monitored in every way possible the work of the successive Governments. Indeed, tribute is due to the work of those Governments, too, which must be commended on all their initiatives and achievements. We hope that the new Government will continue and complete that work and move forward in the realization of the interests and aspirations of the people who elected them and who will keep a sharp eye on their performance both in Parliament and in the Government.

Sisters and Brothers,
Ladies and Gentlemen,

Today, before our second Legislative Council, I would like, as has been the custom in the past, to present to you, to our people and to the world at large a responsible, clear and candid review of the early stages of our national experience. That experience has been difficult and complicated, but is also replete with major achievements, realized by the Palestine Liberation Organization as leader of this people and the highest political authority for all its bodies and institutions. Our achievements over that lengthy period would not have been possible had it not been for the emphasis of the PLO on national unity, the use of the most effective means of struggle and the adoption of enlightened, well-thought-out policies dictated by the supreme national interest of the Palestinian people and founded on the resolutions constituting international legitimacy.

As a result, we thwarted the most serious plans aimed at annihilating the political identity and national rights of the Palestinian people. The PLO succeeded in taking our cause to every corner of the globe and to every people, until the doors of the United Nations opened for us. There, in that forum, Yasser Arafat stood and spoke on our behalf, holding up an olive branch and calling on the world not to let it drop.

Expressions of international and regional recognition of our people, our Organization and our rights poured in, creating a reserve of political support from which we continue to derive strength and an effective international presence. The same has been true when, together with our Arab and Muslim brothers and sisters, we have worked out practical political initiatives expressed in balanced decisions adopted by Arab and Islamic summits, placing the national rights of the Palestinian people at the heart of the issues facing the Arab and Islamic world and addressing the world in the language of the age. This has afforded us an indispensable moral and political shield at every stage of our national struggle and political movement.

The PLO provided leadership throughout that historical period, despite the fact that its leader, its supreme command, its cadres and its institutions were outside the homeland. It faced harsh battles in its fight to remain in existence, carry on its mission and uphold the rights of its people. The PLO and the Palestinian revolution could not have survived and overcome the many attempts to crush them had the PLO not undertaken, side by side with its unrelenting armed struggle, courageous political initiatives that imparted a qualitative impetus to the Palestinian cause, rallying enormous support both regionally and internationally. As a result, the PLO was recognized as the sole representative and the able and legitimate voice of the Palestinian people, and the mouthpiece for their national rights.

From this podium, which is a fundamental part of our National Council, I wish to emphasize the need to complete the dialogue among all forces, groups and factions so as to revitalize our organization, renew its structures and enhance its performance in all areas. We began that dialogue long ago. Now the time has come to reap the desired results.

In this context, Brothers and Sisters, let us look back to another important milestone in our triumphant national journey: our courageous, historic initiative at the 1988 session of the National Council in Algiers, namely the announcement of the establishment of a Palestinian State in exile and the Declaration of

Independence, which was tied to our recognition of Security Council resolutions 242 (1967) and 338 (1973). This laid the foundations of the State we aspire to and defined its features and its content. It was a carefully thought-out initiative that raised the level of our recognition by the international community. This went hand in hand with the outbreak, in 1987, of the first popular intifadah, which contributed decisively to the adoption of our initiative. The world then began to deal with our people, our cause and our leadership as one State deals with another State. The Palestinian peace offensive at the time thus took on a political dimension that went beyond its being a unilateral declaration: it became an international commitment for all those who recognized it, establishing full relations with the Palestinian State on that basis.

The cumulative efforts made in that political struggle paid off, moreover, when a major disruption of the international balance of forces occurred as a result of the collapse of the Soviet Union and the outbreak of the second Gulf war and there emerged a need to work out new equations for stability in the region. Had Palestine not been present as a recognized State and as an organization embodying a strong representative political entity, the world, with its new forces, would have bypassed us: no one would have thought of us in the context of any regional or international arrangements. When the opportunity to demonstrate that presence was seized, the wheels of a new political process started to turn and there began an American-Palestinian dialogue that had been ruled out for decades. Next, the peace process was started in Madrid. We are all familiar with its different stages, the interactions it involved and how it unfolded. While this was taking place, secret channels were being plied side by side with the non-secret ones, giving rise to the Oslo Accord and mutual recognition between Israel and the PLO.

Many things were said about that Accord for the purpose of creating misgivings about it or obscuring its true nature with smoke and mirrors. In particular, it was said that the Oslo Accord had been concluded behind the backs of the Palestinian people because the negotiations had taken place completely in secret. Here let me repeat what I have pointed out on many occasions, namely that political activity behind closed doors is a well-known phenomenon in all or nearly all negotiations conducted between parties at odds. The results of the negotiations, however, are absolutely open and acquire their legitimacy from the need to submit them to the representative political bodies and obtain their approval. And that is just what happened when we presented the exact text of the Accord to the legislative and executive institutions, which discussed it, voted on it and ratified it.

Since that time, we have accepted and respected the right of any individual, group or political force to object to the Oslo Accord. But we have not accepted, and will not accept, having its legitimacy thrown into question, because the moment it was ratified, it became a political reality to which we are committed, and we will continue to uphold that commitment.

Measuring objectively the impact of the Oslo Accords, we must say that, while we did not view them as containing everything we wanted, they did lead to the establishment of the first Palestinian National Authority in parts of the national territory. They enabled tens of thousands of our people to return to their homeland from exile and the Diaspora. They resulted in the establishment of this Council, which Israel initially wanted to be an administrative council having no legislative, representative or political character. But we insisted on its being a structure closer in

nature to the parliament of a State. We imposed the holding of elections as the method of choosing its members and developed its powers and responsibilities until it became what it is in our Basic Law, which serves as a temporary Constitution until, God willing, we ratify the permanent Constitution of our State of the future.

Although some consider the achievements realized at the start of the implementation of the Oslo Accord as modest, due to the fact that in the early stages Israeli withdrawal amounted to only 1 per cent, Israel subsequently withdrew from all our cities and the peace process was expected to result in the end of the occupation of all Palestinian territory occupied in 1967 and the negotiated resolution of all permanent status issues in accordance with the same Oslo Accords.

Let me recall with you, Sisters and Brothers, how the extremist elements in Israel became furious, assassinating Israeli Prime Minister Yitzhaq Rabin at a time when we had barely taken the first steps. The fact is that it was not simply a political assassination, but a deliberate attempt to halt a peace process that was moving forward on track and replace it with a different approach, namely the denial of the Palestinian partner and the imposition of unilateral solutions based on the logic of brute force and the creation of a de facto situation by force of arms, while going forward with settlement expansion.

Subsequent Israeli policies revolved around a programme and measures intended to nullify the Oslo Accord, thus bringing the peace process to a standstill, opening the way for extremism and tearing down every effort that had been made towards creating a new climate between the Palestinian and Israeli sides. All this served to usher in the era of Prime Minister Ariel Sharon, who declared an open battle against the Palestinian people, with systematic destruction of the structures and institutions of the Palestinian Authority.

Sharon built the racist separation wall, redoubled settlement operations in the West Bank, tightened the iron grip on the Palestinian people and the siege imposed on them everywhere and even beleaguered their President, until death overtook him.

Here I would like to emphasize that, together with our friends all over the world, we are following up on the causes of the death of our historic leader, the late President Yasser Arafat. The case is still open and will remain open until all the facts concerning the death of Abu Amar are brought to light.

Sisters and Brothers,

The Israeli Government has adopted a policy of unilateralism rather than negotiation. Let me remind you that when Prime Minister Sharon proceeded with the plan to withdraw unilaterally from the Gaza Strip, it was viewed by us as a surgical procedure aimed at scrapping the road map. We had agreed to the road map as an international initiative that included both mutual Palestinian-Israeli commitments regarding security and Israeli commitments relating to the freezing of settlement activity and to military withdrawal. It provided for the holding of an international conference and a return to the negotiating table to resolve all the permanent status issues, namely: refugees, Jerusalem, settlements, borders and water. Finally, it was to lead to the end of the occupation, the creation of the Palestinian State we aspire to and the establishment of a just and lasting peace.

I would like to note for the record an objective reality regarding developments since the assassination of Israeli Prime Minister Yitzhak Rabin: namely, that Israeli

extremism has succeeded in plunging us into a bloody cycle of action and reaction, creating a climate in which it is hardly possible for a political approach and negotiations to prevail in the conduct of the struggle.

Over against this, we cannot ignore the earnest attempts made, including at high levels, to halt the deterioration of the entire peace process, such as the Sharm al-Sheikh summits, the Camp David summit and, most recently, the road map and the vision of American President George Bush founded on the establishment of an independent, democratic and viable Palestinian State living side by side in peace and security with the State of Israel. This is, without a shadow of a doubt, a historic development in the stance of the United States of America.

Within this context, and based on our understanding of the highest interests of our Palestinian people, a truce was reached, providing an unprecedented period of calm that lasted no less than three months. This was followed last year by another period of calm that we are earnestly striving together to consolidate in order to create a suitable climate for resuming the peace process and returning to the negotiating table on the basis of international legitimacy and the agreements signed.

Sisters and Brothers, Members of the Council,

There is much talk, of a somewhat vituperative nature, about the Authority's inflated administrative apparatus and its high financial cost. But can we ignore the fact that over the years of the intifadah, Israeli aggression left devastating scars, both economic and administrative, on our domestic situation? The ranks of the unemployed were joined by tens of thousands of workers denied entry to Israel, while private capital invested in the Palestinian territory shrunk. The various economic institutions and sectors suffered destruction and losses as a consequence of the policy of collective punishment, closures, checkpoints, destruction of infrastructure, uprooting of trees and a myriad of other measures that turned the life of the Palestinian people into a living hell.

As a result of these circumstances, the Palestinian National Authority alone assumed all those burdens, shouldering responsibility for solving problems to which, once they started, no end was in sight. Foremost among these problems is the task of absorbing the hordes of unemployed persons, especially university students, who graduate in the thousands every year but find no employment opportunities, owing to the weakness of the private sector and its low capacity for absorbing them. Consequently, the Authority, like it or not, has turned into the largest employer, with the inevitable result of a bloated civil service and overstaffed ministries and institutions.

As you all know, this situation has sorely overburdened the public budget and further increased our enormous reliance on international support. Thus, meeting the salary and current-expenditure needs of the public sector has come to require, on the part of any Government, constant efforts to activate our international relations and secure support from our Arab brothers and sisters and other friends around the world.

While mistakes, excesses and violations may have occurred, we must not forget the achievements realized, such as institution-building and reconstruction in various areas, especially education and health. Previous Governments, under the guidance and supervision of the Legislative Assembly, embarked on a comprehensive reform process aimed at correcting the exceptional situation

financially by streamlining the public sector and reducing the strain on the budget. Despite the challenges this process faces — first and foremost Israel's continued oppressive measures and the resulting deterioration of the economic situation — appreciable progress has been achieved, and it will be the task of the new Government, as a matter of national responsibility, to move forward with that effort.

Sisters and Brothers,

In my capacity as elected President of the National Authority and Chairman of the Executive Committee of the Palestine Liberation Organization, and based on the platform on which I was elected, I wish to stress the following:

First of all, both I as President, and our Government, will remain committed to negotiation as the only realistic strategic political choice for reaping the fruits of our people's unremitting struggle and sacrifice over many decades. Conducting negotiations earnestly and judiciously will afford us practical opportunities to achieve our legitimate national goals, supported by unmistakably clear international resolutions regarding our cause and our rights.

But while adopting negotiation as a political choice, we must also continue to intensify and develop forms of peaceful popular resistance. We must continue to revitalize and strengthen the Palestine Liberation Organization in its capacity as the sole legitimate representative of our people which takes the lead on all matters affecting its fate, including negotiations with the Israelis.

Secondly, Israel's suspension of negotiations in favour of an iron-fist policy, unilateral adventurism, continued construction of the separation wall, settlement expansion and the politics of assassination will lead only to greater deterioration and put peace and stability further out of reach. If there is anyone who thinks that these kinds of policies will force us to raise the white flag of surrender he is imagining things and ignoring the reality of this people's faith, strength and resolve in the pursuit of its full and unadulterated rights. I reiterate our absolute rejection of unilateralism, and appeal to a world that yearns to see peace and stability in the Middle East, and in particular to the Quartet and the American administration, to begin immediate and earnest efforts to put the negotiation process back on a track based on international legitimacy, President Bush's vision, the Arab peace initiative, and signed agreements and understandings from Oslo to the road map.

Thirdly, the internal change brought about by Hamas winning a majority of seats in the second legislative election should not be used as an excuse for increased aggression against our people, or as a pretext for blackmail. The Palestinian people should not be punished for a democratic choice made through the ballot box. This people's leadership, and I personally, reject this blackmail and call on all parties to desist from it.

Fourthly, reform of the National Authority must not end. I will continue to oversee all reform initiatives, both those already being carried out by the judiciary in implementation of decisions on our part and any new initiatives that may come up. I am resolved to carry through the programme that our people entrusted me with and on the basis of which I was elected, to act on the aspiration I espoused of creating a unitary, stable, strong and effective Authority that provides security and safety to all its citizens and has the capacity to fulfil its commitments and protect the interests of its people. An Authority that respects the law and is committed to enforcing it. An Authority whose institutions abide by the principle of separation of

powers, with a strong judiciary in particular. An Authority that applies a single law to all, with a unitary legislative authority and political pluralism. An Authority that lays solid groundwork for the birth of our future independent Palestinian State with Jerusalem as its capital. We dream of one day seeing this State as a positive addition to existing States in the region, carrying out its commitments ably and credibly and enjoying its rights on the basis of justice. We want no more and no less than what international legitimacy entitles us to.

We conducted free and fair elections and we expect to see a Government that faces up to challenges and performs its functions capably. And as I speak of our future Government, I remind the members of the Council — and the members of the incoming Government — that it is absolutely imperative to honour all signed commitments and to act in the national interest by putting an end to the chaos of arms. Now that all are fully included in the National Authority's institutional structure, all must commit unconditionally to the existence of a single weapon: the weapon of legitimacy.

Fifthly, in the light of the foregoing I reaffirm something that has long served as the armour of our revolution, Organization, and Authority: the fact that we do not allow our positions and policies to become caught up in any kind of axis politics. We take pride in the depth of our Arab and Islamic identities and our unifying role within them. And we also take pride in the fact that all support our rights and the justness of our cause while respecting our independent national will.

Sisters and Brothers,

Allow me to touch on one of the most important aspects of our experience in the National Authority: security.

Over the past 10 years security has emerged as an overarching crucial dimension of our national project. The way we handle it will determine the future of this experiment, this project of ours.

Security means safeguarding both the individual citizen and society as a whole. It means safeguarding all aspects of life. It means safeguarding all who dwell among us in our land. Security means carrying out our commitments. We all share the grave responsibility of confronting the chaos that afflicts some of our cities in the form of robbery, assault and the kidnapping of foreigners and our own brothers, all of whom have come to live in our land to support us and cooperate with us.

I shall not permit — and the Government must not permit — this despicable phenomenon to continue. Stern and effective measures must be taken to put an end to it once and for all. No one should be allowed to abuse the highest ideals to commit base crimes against the life and property of citizens or against visitors or diplomatic missions.

Security demands that we take care to endow the security apparatus with the capacity to perform its function. This includes equipment and training. Both the Israelis and the Quartet must facilitate the flow of arms and equipment to the security forces. Restructuring must continue, in accordance with the Basic Law. In this regard, we shall work earnestly and decisively to revitalize the National Security Council so that it can perform its role of formulating security policies and directing the work of the security services.

Ladies and Gentlemen,
Brothers, Sisters, Members of the Council,

The tasks and burdens are many. The education sector is in need of rapid development, including the building of schools, academies and universities capable of keeping pace with social and scientific progress. Modern education based on development, openness and the spirit of free inquiry as opposed to closed-mindedness and chauvinism is the optimal tool for rearing new generations in a healthy atmosphere conducive to development, modernization and progress for our society and people. There are also the health, economic, industrial, agricultural, commercial, cultural, athletic, tourist and environmental sectors, all of which require us to build on what we started and move towards a free and progressive society and a new Palestinian brimming with hope for the future. We must care for our disabled and injured brothers and sisters, for the families of our martyrs and prisoners, for the armies of unemployed youth and for the families of the poor. Let us not forget that a high proportion of our people live below the poverty line.

The building of a State and society that deserve to be called modern and progressive requires that we preserve the gains made by women in Palestinian society and prevent any diminution in their role. Palestinian women have struggled and stood fast alongside the men on the soil of their homeland. They have achieved equality when it comes to martyrdom and prison. If they are going to have equality in duties, they deserve equality in rights. We salute Palestinian women.

Another subject I would like to focus on has to do with our Palestinian people's national social fabric. The Muslims and Christians of Palestine are equal citizens before the law. I would like to stress the importance of protecting public and personal freedoms in accordance with the law. They must not be infringed under any pretext whatsoever. This includes freedom of expression, freedom of association and all the other freedoms, including the freedom of institutions of civil society. We are committed to securing, protecting and maintaining all Christian and Muslim holy places. We will not allow ignorant splinter groups to fan the flames of sectarianism. Palestine is the cradle of the revealed religions, the land of the Prophet's night journey and ascent to heaven, the land of Al-Aqsa and also the land of the Nativity and the Church of the Holy Sepulchre.

This brings us, my brothers, to the subject of Jerusalem, the beating heart of Palestine. I hereby affirm before you and before all the world — and above all before the Israelis — that the measures that have been taken to isolate the city and drive out its citizens in a kind of ethnic cleansing of Christian and Muslim Palestinians designed to Judaize it — these and other Israeli measures that contravene international law will never achieve legitimacy of any kind, and will never be accepted as a fait accompli by a single Palestinian citizen. Continued Israeli obstinacy on the future of Jerusalem stands in the way of the goal to which we all aspire, which is a just peace between the States of Palestine and Israel.

I am aware, as are you, of the enormity of the danger threatening the city of Jerusalem and its inhabitants. I appeal to the Arab and Islamic worlds, and to the Christian world as well, to lend a helping hand to our people in Jerusalem and provide them with the means to stand firm and remain there. For our part we will spare no effort to create conditions to ensure the survival of our people in Jerusalem.

Sisters and Brothers,

On behalf of you all I send greetings, thanks and appreciation to our brothers in the Arab States, our brothers in the Islamic world and friendly peoples and Governments everywhere for their support and assistance to the Palestinian people.

I also turn to our Israeli neighbours, as they embark on parliamentary elections, to reiterate to them that the road to security passes through a just peace. We are convinced that there is no military solution to this conflict and that negotiation between us as equal partners is the way to bring the cycle of violence to a long overdue end.

I say to you in all frankness that continued occupation and settlement, including most recently the settlement offensive to isolate the Jordan valley from the rest of Palestinian territory in the West Bank, as well as the checkpoints, the indiscriminate killing, the construction of the wall, the arrests — all these things will lead only to hatred, despair and perpetuation of the conflict.

Let us make peace together sooner rather than later. Let us live in two States side by side. Let us raise our children in a culture of life, not death. Let us teach them that a free man is one who defends the freedom of another, and that a man who loves God is one who loves his fellow man.

I would particularly like to stress that the age of unilateral solutions is over. Any attempt to map out the future of our people in isolated cantons, tear the West Bank into pieces, take over the Jordan valley, isolate Jerusalem or consolidate the settlement blocs will close the door to a solution between us. There is a Palestinian partner ready to sit with an Israeli partner at the negotiating table to reach a solution based on internationally recognized resolutions, the Arab peace initiative and the road map, based on respect for all prior agreements and commitments.

We desire a just solution that guarantees peace, not a partial, unilateral or temporary solution or a State with temporary borders that would ruin the chances for peace. We are waiting for the Israeli Government to make up its mind and take a decision on this matter. Our decision is complete readiness to begin final status negotiations immediately.

I reaffirm to the entire world that we believe that right is greater than might. We hold fast with equal resolve to our rights and to our desire for peace. The entire world must shoulder its responsibility to make the dream a reality: Peace in the Holy Land. Peace in the land of peace.

May God grant you success.

May peace be upon you and the mercy and blessings of God.